

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

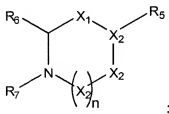
In re Application of: Shubh D. Sharma <i>et al.</i>)	Conf. No. 2914
U.S. Application 10/776,419)	Group Art Unit: 1639
Filing Date: February 10, 2004)	Examiner: M. Shibuya, Ph.D.
For: Peptidomimetics of Biologically Active Metallopeptides)	Date: January 2, 2008

RESPONSE TO OFFICE COMMUNICATION

(prior response not fully responsive)

This paper responds to the Office Action, dated December 3, 2007, time for response to which expires January 3, 2007.

It is Applicants' understanding that the Office Action has requested an election of one invention from Groups I, II, and III, an election of a molecular core ring structure for the compound encompassed by the elected invention, and an election of a species of peptidomimetics. Accordingly, Applicants elect the invention of Group II, claims 34, 35, 36, and 37 (claims 73-78) directed to peptidomimetics, and the following molecular core ring structure:



wherein

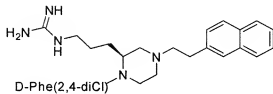
X₁ is CH₂;

X₂, at the 4-position (the position to which R₅ is attached), is N;

X₂, at the 5- and 6- positions, is CH₂; and

n is 1.

Regarding the species election, Applicants elect the following species:



Example 129

Since the Patent Office has not issued an Office Action on the merits, the Patent Office has not searched and examined the previously elected species. Accordingly, in this response, Applicants can change the species election and have elected a new species (Example 129) for search and examination on the merits.

Claims 73-78 submitted in the previous response (filed September 28, 2007) replace claims 34, 35, 36, and 37, and claims 79-81 are directed to methods of using the products of claims 73-78. Currently, claims 73-81 are generic and read on the elected species.

It is also Applicants' understanding that each compound with a different molecular core ring structure is patentably distinct. In the event that Applicants' understanding is incorrect, Applicants reserve the right to traverse the restriction/species election requirement, once the restriction/species election requirement has been clarified.

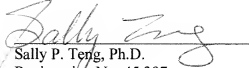
Conclusion

The foregoing amendments and remarks are being made to place the application in condition for allowance. Applicants respectfully request entry of the amendments, reconsideration, and the timely allowance of the pending claims. A favorable action is awaited. Should an interview be helpful to further prosecution of this application, the Examiner is invited to telephone the undersigned.

If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

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Respectfully submitted,
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